

UTILITIES SERVICE BOARD MEETING

April 30, 2007

Utilities Service Board meetings are recorded electronically or stenographically and are available during regular business hours in the office of the Director of Utilities.

Board President Swafford called the regular meeting of the Utilities Service Board to order at 5:04 p.m. The meeting was held in Conference Room 100B at the Indiana University Research Park at 501 North Morton Street in Bloomington, Indiana.

Board members present: Tom Swafford, Tim Henke, Jeff Ehman, Julie Roberts, Jason Banach, John Whikehart, Pedro Roman and ex-officio members Tim Mayer and Tom Micuda. Staff members present: Patrick Murphy, John Langley, Michael Horstman, Jane Fleig, Phil Peden, Adam Wason, Tom Staley, Nancy Axsom, Mike Trexler, Steve Cotter and Saira Malik. Others present: Ben Beard representing Gentry Estates, Margaret Fette representing the Libertarian Party, Raul Munoz and Sue Mayer.

MINUTES

Board member Ehman moved and Board member Roberts seconded the motion to approve the minutes of the April 30, 2007 meeting with the corrected spelling of Beazer. Motion carried. 5 Ayes, 2 members absent, (Whikehart and Roman).

CLAIMS

Board member Henke moved and Board member Ehman seconded the motion to approve the claims as follows:

Claims 0790611 through 0790667 including \$159,983.24 from the Water Operations & Maintenance fund and \$189.00 from the Water Construction fund for a total of \$160,822.24 from the Water Utility; Claims 0730345 through 0730378 including \$130,784.37 from the Wastewater Operations & Maintenance fund, \$331.07 from the Wastewater Construction fund and \$630.00 from the Wastewater sinking fund for a total of \$131,745.44 from the Wastewater Utility; and claim 0770041 through claim 0770042 for a total of \$293,012.15 from the Wastewater/Storm water Utility. Total claims approved – \$293,012.15.

Board member Roberts asked about a claim for Bloomington Hospital. She asked if it was for testing of employees that had been exposed to something. Deputy Director Langley explained that it was a respirator fitness test that is required for employees who will be working in an air purifying respirator. They need to have their lungs tested first.

Ms. Roberts then asked about a claim for the Indiana Safety Company for Predator gloves. She wondered what these are used for. Superintendent of Operations Staley explained that it is just a brand name.

Board member Banach asked about the claim for Baugh Enterprises for the reply envelopes for water bills. Deputy Director Langley said that this is for pre-printed stationary customers user for returning water bills.

Mr. Banach also asked about a claim for the City of Bloomington for a set rate for vehicle parts and repair. Utilities Director explained that it is an agreement with the City to cover all the parts and repairs for Utilities' vehicles for the month of May. Mr. Banach asked if it is a set fee per vehicle for all maintenance items or if it is a variable expense. Budget Analyst Trexler said that Utilities pays a

set rate based on the proportion of the total fleet that Utilities owns. Mr. Banach wanted to know if all of Utilities vehicles are maintained by Fleet. Utilities Director said they are. Board member Micuda said that every department pays a pro rata rate for their vehicles.

Motion carried. 6 ayes. 1 member absent, (Roman).

Wire transfers and fees for the month of March 2007:

Board member Roberts moved and Board member Ehman seconded the motion to approve the wire transfers and fees for the month of March 2007 in the amount of \$835,288.56.

Board member Banach asked about the charge card fees. Utilities Director Murphy said that it is the fee charged by the charge card companies for allowing credit card payments.

Motion carried. 6 AYES, 1 member absent, (Roman).

APPROVAL OF THE PLAN FOR THE LAKE GRIFFY MANAGEMENT PLAN:

Deputy Director of Utilities Langley told the USB that he was forwarding the staff's recommendation for the consultant to complete the Lake Griffy Management plan. He said that Utilities and the Civil City's Parks and Recreation department have worked together closely on this. Mr. Langley pointed out that there has been a very beneficial relationship between Utilities and Parks and Recreation in managing several facilities for a long period of time. The Park's staff has been very diligent in working with Utilities' staff on setting up a request for proposals and in reviewing the proposals. He said that Utilities' staff is very pleased with the consultant selection.

Steve Cotter with the Civil City's Parks and Recreation Department gave a Power Point presentation about the Lake Griffy Management Plan. That presentation is attached to these minutes.

Board member Roberts asked about the snap traps that will be used to collect a sampling of the mammals in the area. She wanted to know if they kill the animals since it would be best for the public to know before hand if that is the case. Mr. Cotter wasn't certain how snap traps work. He said that he thinks they are live traps but isn't certain. He will confirm how they operate.

Board member Whitehart pointed out that the recommendation for this plan isn't really coming from the staff but is the recommendation of the Administrative Subcommittee of the USB.

Board member Henke asked that Mr. Cotter explain the project team concept. He wanted to know if the members of the team are employed by J.F. New. Mr. Cotter said that J. F. New does a lot of environmental services. They have put together a team with different companies to help them accomplish the goals of the plan. It was understood from the beginning that no single firm would be likely to be able to provide everything being asked for in the plan. The scope may have to be scaled back a little due to the bid being considerably over the amount of funds available. This team is the strongest of those that submitted proposals.

Mr. Henke asked if some of the team members are sub-contractors. Mr. Cotter said that was correct.

Board member Roman commented that he likes this project very much and is once again pleased to see different departments working together to get things done.

Ex-officio board member Micuda asked how much the bids were over the \$125,000 budgeted. Mr. Cotter said that the bids ranged from about \$138,000 to \$285,000. J.F. New was about in the middle.

Board member Roberts moved and board member Roman seconded the motion to approve the contract for the Lake Griffy Management plan. Motion carried. 7 ayes.

APPROVAL OF THE CONTRACT WITH INDOT FOR WATER MAIN RELOCATION FOR THE WIDENING OF STATE ROAD 48:

Assistant Engineer Fleig reminded the USB that they had recently approved a design contract with Bynum Fanyo Associates for the redesign of Utilities' service lines that will be affected by the widening of State Rd. 48. The area in question is 1.8 miles in length from Curry Pike to Kirby Road. INDOT has been planning the widening project for a number of years but it has suddenly become a priority for them. There is a 12 inch water main that runs the entire length of the project and there are also some 10 inch water mains that Utilities will be taking over from Van Buren Township. With the most current design that INDOT has put together there is no option for leaving much of the existing water lines in place as had originally been assumed. Most of it is within the highway pavement itself which is not a preferred situation for INDOT. There are also some conflicts with the new storm water infrastructure. Rule 13 makes it necessary for INDOT to make major changes in the design of the storm water infrastructure. Large box culverts are going to be placed on both sides of the highway to retain and clean the water before it is released into the environment. When this project was first considered by Utilities in 2005 an amount of \$90,000 was budgeted for the waterline relocations. At that time it seemed that only small portions of the Utility infrastructure would be in conflict with the project. Because of INDOT's request that everything be moved out from under the pavement and the amount of infrastructure that will be in conflict with Utilities a whole new corridor needed to be identified. Bynum Fanyo has done that. The new corridor is on the south side of the road. Because of the large box culverts and also some sanitary sewer that INDOT will be installing since they will be going through some people's septic fields, the corridor for the waterlines will be squeezed in between the other two utilities. It seems sensible to be included in the INDOT contract so their contractor does all of the utilities. That way they will all be installed at the same time with the right depths and clearances. These changes make a significant difference in the price. The agreement will be for \$1,062,000. The plans have been provided to INDOT and it is being included in their bid letting for May 2nd.

Board member Henke asked if there are actually any options with this. If the money has to be spent no matter what. Ms. Fleig agreed that is the situation. Mr. Henke suggested that at some later time the financial implication of this be discussed.

Utilities Director Murphy explained that originally \$90,000 had been put into the Extensions and Replacements budget. Now they have gone back and identified another \$400,000 that had been tentatively earmarked for the Marlin Hills water lines in the Extensions and Replacements budget. The plan is to move the Marlin Hills project back and use that money for the S.R. 48 project for this year. Next year the remainder of the project will be put in the Water Extensions and Replacements budget. Mr. Henke asked that a tentative capital plan for Extensions and Replacements be generated. Mr. Murphy said that exists to some extent but Extensions and Replacements are usually projected on a year to year basis. The capital improvements plan is based on five years. Possibly that concept should be revisited.

Board member Roman asked if moving this money could damage water quality for people in Marlin Hills. Ms. Fleig said it would not. Mr. Roman said that the price for the project makes sense to him given the extent of it. He asked if Utilities work could be done after the box culverts have been installed if Utilities were to do the work themselves. Ms. Fleig said that INDOT is unwilling to have other contractors on their job site while they have construction going on. They worry that their contractor will claim they had delays caused by the other contractors working there.

Board member Ehman asked what the criteria would be that would cause the State to reimburse a Utility for work that was caused by a State contract. Why doesn't this particular project fall into that category? Ms. Fleig said that INDOT does allow a hardship claim for Utilities but it is based on 10% of the annual operating budget. For City of Bloomington Utilities 10% of the water operating budget would be about 1.2 million dollars. This project came in just below that amount. If the existing Utilities had been in an easement it could have been reimbursed but they are in the State's right of way.

Board member Banach asked if it is a marginal level for cut off for hardship. For example if the bill for this project had been 1.3 million would the State have paid for all of it or just the difference between the 10% of the operating budget and the bill for the project? Ms. Fleig said they would have just paid the difference.

Board member Roberts commented that this seems to be a part of a larger pattern, seen in Departments of Transportation all over the country, of a lack of regard for local input for a project. In this case the majority of the residents in Whitehall did not want to see this project happen. For a project to go from \$90,000 to \$1,062,000 is a ten fold increase in two years. Sections of I69 that have been completed in other states have been grossly misrepresented as to how much they will cost. Departments of Transportation cannot be trusted for anything as far as estimated figures are concerned for a project.

Ex-officio board member Micuda mentioned that the State is also considering widening the S.R. 45/46 by-pass and S.R. 45 east of the by-pass. He asked Ms. Fleig if she has any idea of what is on the horizon in general over the next couple of years. She said that Utilities has a member on the Metropolitan Planning Organization which helps keep everyone informed about these kinds of projects. In the negotiations with INDOT the east S.R. 45 project has been combined with the S.R. 45/46 project because one cannot be relocated without the other. That is the main big project that is on the horizon. Board member Henke asked if the S.R. 45 project isn't coming up pretty quickly. Ms. Fleig replied that the State will be combining it with the by-pass and do the two simultaneously.

Board member Roberts said that Board member Banach had just raised an excellent question. He asked what would happen if the USB were to say no to funding. Ms. Fleig said she isn't sure what the answer to that question is but ultimately the water lines are in the State's right of way so they could probably just tear them out if they wanted to. Ms. Roberts said that there have been movements in other states to place their Departments of Transportation under greater legislative control so things like this can be dealt with in a more equitable manner. Mr. Murphy pointed out that this is all a part of Governor Daniels Major Moves initiative.

Board President Swafford asked if the \$1,062,000 was a fixed or estimated price. Ms. Fleig said it is an estimated price. Mr. Swafford asked if it is "not to exceed". She said she could not say that. The price will be based on what their contractor bids come in at. Mr. Swafford asked if the water portion will be separated so that Utilities can determine just what part they are responsible for. Ms. Fleig said that is how it will be handled. Exhibit B is the Engineer's estimates and that is the only part Utilities will be responsible for and they will be broken out in the bid. Utilities staff has looked at the estimates and thinks they are a little high.

Ex-officio board member Mayer reminded Ms. Fleig that she had said that some of the residents along S.R. 48 west of Ivy Tech have septic tanks that will be destroyed by this project. He asked if the State will be running a sewer line for them and if so, will the State pay for it? Ms. Fleig said that they would and Utilities will then take over responsibility for it. Board member Henke asked how this will affect the service boundary. Mr. Micuda said that it would increase it. More people outside of the

current service boundary will be receiving service. Ms. Fleig said that Van Buren Township will be moving their meter to Kirby Road which will extend the water service. It will have less affect on sewer service because of Rule 24.

Board President Swafford pointed out that the contract does not refer to a fixed price. He asked if it will be brought back to the USB once the bids come in. Ms. Fleig said it would. Mr. Swafford said that the language in the exhibit does not match the language in the resolution. Mr. Banach suggested that the USB change the wording of the resolution to say "the work that is estimated to be..." rather than "it will be". Mr. Swafford suggested that whoever makes the motion change the wording to "estimated" so there is no misunderstanding.

Board member Banach moved and board members Henke and Roberts seconded the motion approve the contract with the a change to the fourth whereas so it reads "the relocation work is estimated to be" so it matches the language in the contract and further more to amend in the contract under the "now be it therefore resolved" clause to "the Utilities Service Board hereby commits to an estimated payment of \$1,062,988".

Board member Banach asked if it would be brought back to the USB if the amount is exceeded. Ms. Fleig said they will come back to inform the board of how the prices came in.

Motion carried. 7 ayes.

OLD BUSINESS:

No old business was presented.

NEW BUSINESS:

No new business was presented.

SUBCOMMITTEE REPORTS:

Board member Whitehart reported on the Administrative Subcommittee which took place on April 24th. There were two items on the agenda. The first was the Lake Griffy Management plan which has already been discussed. The second was a customer appeal by Raul Munoz about a hook on fee for sewer usage. It was recently discovered that Mr. Munoz had a connection to Utilities sewer line although his water comes from Eastern Monroe Water Corporation. Because he did not have a water meter his sewer connection had gone unnoticed for quite some time so he had not been billed for or paid for the connection or his usage. Once this situation was realized he was billed and he paid for the sewer usage but is seeking relief from the \$1,523.00 hook on fee. The Administrative Subcommittee determined through a finding of facts that the rule about hook on fees is clear and has been consistently applied so they recommended that the appeal be denied.

Mr. Munoz explained that he used to live at the residence in question. Dr. Grossman had built a subdivision across the street from Mr. Munoz' former residence. He had planned to install some pumps to pump wastewater from his development to Hyde Park. Mr. Munoz said that the natural flow of the water crosses the road to his property. He had a pond on his lot and was concerned that if the pumps were to fail the wastewater would drain into his pond. Mr. Munoz suggested that Dr. Grossman lay a line through the pond and follow the path of the creek so it could be a gravity line. The contractor felt the expense of going through the pond was too great so they put the line in between Mr. Munoz' house and the pond then across the spillway of the pond. When the line was being installed the contractor asked Mr. Munoz if he would like to be hooked on to the wastewater

line. Mr. Munoz was unaware of Utilities' policies for hook ons so he agreed that it would be a good idea. His wife had always handled all of their bills but she passed away during that period of time. Mr. Munoz arranged for his bank to pay his bills so he didn't realize that he had not been billed for wastewater since the connection was made. Mr. Munoz had expected to hear from Utilities but he never did. He thought that it was somehow being paid through the Eastern Monroe Water Corporation. When he put his house up for sale the fact that he hadn't been paying for the use of Utilities sewer line came to light. He received a bill saying that he had an illegal hook on. Mr. Munoz didn't understand how that could be since there had been an inspector there every day checking on the progress of the project. He said that he talked to someone at Utilities and told them that he agreed that he owed the money for the service but disputed the hook on charge because he believes it was paid by the contractor who made the connection. According to him whoever he talked to told him he would not have to pay for the hook up. Then he received another bill for the hook up. He still strongly feels that Utilities was somehow paid for the hook up. If he needs to he is willing to go to the Supreme Court.

Board member Whikehart explained that as the Administrative Subcommittee looked at these facts in their hearing it was clear that the hook on fee had never been billed or paid. The committee's concern was whether the rule about hook on fees is clear and consistently applied. The evidence indicated that was the case. In 1999 Mr. Munoz was paid \$6,195 for an easement for this sewer. The Administrative committee found that it was a legitimate bill which is why they recommended that the \$1,500 hook on fee not be waived.

Board member Roman asked if the amount that Mr. Munoz is being billed for is the current hook on fee or the fee that existed in 1999. Utilities Director Murphy said that he is being billed at the rate that applied in 1999. Mr. Roman asked if any interest is being charged. Mr. Murphy said it is not. Mr. Roman then asked for a breakdown of the bill. Mr. Murphy said it consisted of \$2,690.17 for usage and \$1,523 for the hook on fee.

Board member Roberts asked if the person who asked Mr. Munoz if he wanted to be connected to the sewer line had any responsibility to inform Mr. Munoz about the hook on fee. Nancy Axsom who is the Project Coordinator for New Services informed the USB that Mr. Munoz' neighbor, Edward Clinch, was also connected to the sewer and did make an application for service. There was one other person who was connected and did not apply.

Board member Roman asked if it is normal for contractors to offer to hook on citizens whose houses are adjacent to new sewer lines. Ms. Axsom said she did not believe so. Mr. Roman said that he believes it is the contractor who should take responsibility for this situation. He asked if any contractor can arbitrarily extend a sewer to nearby residents. Utilities Director Murphy said that contractors are expected to make an application to the Utilities Department.

Board member Banach seconded the recommendation of the Administrative Subcommittee that Mr. Munoz' hook on fee not be waived. Motion carried. 6 ayes. 1 member absent, (Henke).

STAFF REPORTS:

Utilities Director Murphy informed the USB that there had been two requests for approval of extension of sewer services. Mayor Kruzan sent Mr. Murphy letters in support of these extensions. The first of them is for the Ivy Tech Community College. Both Planning Director Micuda and Economic Director Alano recommended that this extension be granted. This project is a collaborative effort between Ivy Tech, Monroe County, the local Work Force Development Agency and the Life Sciences industry. The center's purpose is to provide academic and training programs necessary to meet the job growth

demands of the Life Sciences Industry which is projected to provide between 12,000 and 14,000 new jobs. This facility will provide the resources to make it possible for the local work force to acquire the necessary skills to qualify for these high quality jobs. The building is approximately 21,000 sq. feet. It is planned to be ready for occupation in the fall of 2008.

Mr. Murphy reminded the USB that Rule 24 allows a 10 day period for remonstrance if services are denied. It also states that because this is in the exclusionary area the Mayor should base his recommendation on the advice of the Directors of Planning and Economic Development. In this case, this project is considered to be of vitally important economic development benefit to the community. According to Rule 24 Utilities Director Murphy has approved this extension of services. That means that the public will have 10 days starting at this time to remonstrate against this extension.

The second project also comes with Mayor Kruzan's recommendation for approval. It is an extension to a site on the south side of Gordon Pike that is referred to as the Barnes' property. The business currently has City of Bloomington water service but has a septic field. There are several other residences in the area that have septs and will be able to hook on to the sewer if it is extended. The Mayor's recommendation is once again based on recommendations from Planning Director Micuda and Economic Development Director Alano that sewer service be provided. This recommendation is based on a community development need instead of an economic development need. It is an island surrounded by areas with city sewer service. Any sewer extension will not promote any new development in the area. At one time this property was in the City's planning jurisdiction. At that time it was zoned for commercial development. The petitioner is proposing a retail development which is in keeping with the past zoning. It may also provide some environmental benefits in that it will eliminate existing septic fields. Mr. Murphy approves of the extension of services for this property based on the procedures in Rule 24. This will begin the 10 day period for remonstrance against this project.

Board member Roman said that he lives in that area and thinks this extension makes good sense since it is in a commercial area and they already have city water. He also pointed out that in the case of Ivy Tech there is already a sewer there. They will be paying a hook on fee.

Utilities Director Murphy said that Ivy Tech will be granting an easement, paying all construction costs and the hook on fee.

Board member Whikehart disclosed that he is the Chancellor of Ivy Tech Community College. He pointed out that the building in question is a joint partnership between Ivy Tech and the County. The land belongs to Ivy Tech so they will be able to grant an easement. The construction will be paid for by a bond issued by the County.

Utilities Director Murphy said that the USB does not need to take any action on these items. This discussion serves to notify the community that they have 10 days in which they can appeal these decisions in writing to the Director's office. The appeal will be considered at the next regularly scheduled USB meeting for which it can be added to the agenda.

Board member Roberts commented that she is very impressed by the operations of the USB. She feels that by providing clean water and sanitary sewer service to the community they are safeguarding the basis of civilization. When she ran for public office as a Green Party Candidate several years ago she was surprised to discover how often Boards and Commissions became a place for grandstanding and personal vendettas and inefficient operation. She has seen none of that on the USB. She has been impressed and inspired by how professional and expert the people are on this board. Having said that there is something she wants to say, not as a member of the Green Party but as a human being. This is the last day of April and it is 19 degrees warmer than normal. Last month

there was a run of days that were 34 degrees warmer than normal. She has nothing against the Ivy Tech project. Her profession is education and she thinks highly of Ivy Tech. However she wonders if any green considerations are being used in the planning of this building and if they might consider planting some trees in the very large green area in front of the building. Each time we turn over a spade of dirt and put concrete down we increase the temperature of the planet. Every time we cut down a tree we are removing the equivalent of 3 roof top air conditioners in cooling capacity. It has nothing to do with Mr. Whitehart or this plan. Ms. Roberts believes it is time to start saying something about the fact that we are going to have to start doing things differently.

Budget Analyst Trexler told the USB that the March financial statements were included in the packet. For the month of March there is a net income of roughly \$271,000. Things are going very well. Revenue and expenses don't come in uniformly throughout the year so a good deal of variation is seen.

Capital Projects Manager Hicks said that the USB had a report in their packets on the new building that was prepared by the project architect, Schmidt Associates. Mr. Hicks said the only thing he wanted to comment on in particular is the overall schedule. The two things that the contractor is behind schedule on are the dry wall and the exterior masonry. The architect's opinion is that currently the contractor is two weeks behind. The contractor believes they are only one week behind and they plan to catch that up. Tomorrow they will double their work force in dry wall finishers and will also begin the exterior masonry of the building. They believe that they will reach substantial completion between the 13th and the 19th of June.

Board President Swafford asked if the building is now water tight. Mr. Hicks said it is not. The glass store front has not yet been installed. The roof is complete.

Board member Banach asked if Utilities is planning to move in when substantial completion is reached or will it be at full completion. Mr. Hicks said that moving will begin with substantial completion. Mr. Banach asked when Utilities customers will be notified of this. Utilities Director Murphy said there will soon be a meeting to plan the staging of the move and notifying the customers will be a part of the discussion. Mr. Murphy also pointed out that there will be a new address. It will no longer be 1969 Henderson St. but will be 600 E. Miller Dr. Probably a notice will be put in the bills.

Board member Roberts asked if the 1% for the arts that the Civil City does in their construction projects is being done for this project. Mr. Murphy said it is not.

Ex-officio board member Mayer asked Mr. Hicks to talk about the polished concrete. Mr. Hicks explained that the contractor had damaged the concrete in two places such that it cannot be repaired. The decision was made to only do the polished concrete in the public area. Broad loom carpet will be installed in the rest of the building instead. This could result in a credit back to Utilities.

Assistant Director of Finance Horstman gave an update on the current audit. He said it is moving along well. Most of the audit is complete. They are currently working on the financial statements. They should soon be done and will move on to the Civil City audit. Things seem to be going fine.

PETITIONS AND COMMUNICATIONS:

Margaret Fette representing the Libertarian Party said she was disturbed by the ruling on Raul Munoz' request that his sewer hook on fee be waived. She is disturbed by the fact that it took 8 years for anyone to notice that he had not made the payment. She said that is a problem from a business perspective. As a small business owner if she waited 8 years to bill her clients she wouldn't be in business for very long. She wonders how many other hook on fees haven't been billed appropriately.

She is also disturbed that the situation was only discovered when Mr. Munoz decided to sell his house. Ms. Fette hopes that the USB will pursue this to find out how it happened. It sounds like Mr. Munoz is not the only person who experienced this. She would like to know what is going on.

Board President Swafford assured her that the problem has been addressed in the time since 1999. There is much closer supervision of these issues than there was in 1999. Several changes have been made since that time. Ms. Fette said that wouldn't be of much comfort to Mr. Munoz. Mr. Swafford said that over the years there were some software problems that caused some billing to be dropped. He doesn't recall anyone having ever come in to complain that they aren't being billed for water and sewer. They only come in to say "I got this big bill. Why all of a sudden?" When the software was converted there were several cases where bills were dropped. The problem of missed connection fees was resolved years ago. Ms. Fette said she was astonished that the hook on could ever have occurred without the fee having been paid ahead of time. She feels the contractor should have had to pay for it before the connection was made.

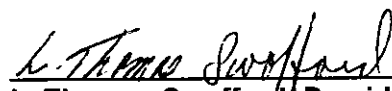
Board member Ehman asked if there is language for the contractors that states if they are going to connect people to the sewer system they must inform them of the need to apply for a hook on.

Utilities Director Murphy said that when people receive only sanitary sewer service and have no water meter there's a certain amount of good faith that is involved. In this particular case Mr. Munoz did receive \$6,195.00 for an easement which indicates that he was aware of the issue. As a business practice it would be a good idea to communicate the regulations in writing to the contractor.

Board member Roman said he thinks the USB should implement a policy that no contractor can hook people up to any sewer without somebody applying and a permit being issued to the contractor. Mr. Murphy said that is what they are supposed to do according to the Rules and Regulations. Unfortunately there are people who don't follow the Rules and Regulations. Utilities is not an enforcement agency. Mr. Roman said that under some circumstances Utilities does act as an enforcement agency since there is an ability to prosecute someone who has an illegal hook on. Mr. Ehman pointed out that is only the case if it is stated in the contract.

ADJOURNMENT:

The meeting was adjourned at 6:35 p.m.


L. Thomas Swafford, President